

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

By the foregoing amendment, claims 2, 21, and 25 have been amended and claim 6 has been canceled. No new matter has been added. Thus, claims 2-5 and 7-26 are currently pending in the application and subject to examination.

I. Claim Objections

In the Office Action dated August 10, 2007, Claims 11 and 25 are objected to for informalities. The status indicator of claim 11 has been updated and claim 25 has been amended responsive to these objections. If any additional amendment is necessary to overcome this objection, the Examiner is requested to contact the Applicant's undersigned representative.

II. 35 U.S.C. § 102/103

Claims 2-10, 12-15, 17-18, and 20-26 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,757,283 to Yamanaka et al. ("Yamanaka"). Under 35 U.S.C. § 103(a), claims 16 and 19 are rejected as being unpatentable over Yamanaka in view of U.S. Publication No. 2002/0099842 to Jennings ("Jennings"), and claim 11 is rejected as being unpatentable over Yamanaka in view of U.S. Patent No. 6,073,175 to Tavs et al. ("Tavs"). It is noted that claims 1, 21, and 25 have been amended. To the extent that the rejections remain applicable to the claims currently pending, the Applicants hereby traverse the rejections, as follows.

The Applicants submit that Yamanaka does not disclose or suggest a method of associating a content tag with a content, the method comprising at least the

combination of reading the content tag in an instance of peer-to-peer network transmission to determine whether at least part of the content should be accorded preferred transmission service; and transmitting at least part of the content according to the type of service specified by the flow information over a peer-to-peer network, wherein if the content tag indicates that at least part of the content should be accorded preferred transmission service, and if the content tag does not indicate that at least part of the content should be accorded preferred transmission service, transmitting the content with a standard type of service, as recited in amended claim 2.

For at least this combination of reasons, the Applicants submit that claim 2 is allowable over the cited art. For similar reasons, the Applicants submit that claim 21 is likewise allowable. As claims 2 and 21 are allowable, the Applicants submit that claims 3-5, 7-20 and 22-26, which depend from allowable claims 2 and 21, are therefore also allowable.

CONCLUSION

For all of the above reasons, it is respectfully submitted that the claims now pending patentability distinguish the present invention from the cited references. Accordingly, reconsideration and withdrawal of the outstanding rejections and an issuance of a Notice of Allowance are earnestly solicited.

Should the Examiner determine that any further action is necessary to place this application into condition for allowance, the Examiner is encouraged to telephone the undersigned representative at the number listed below.

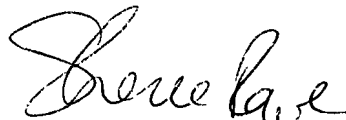
In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged

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to our Deposit Account No. 01-2300. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300 with reference to Attorney Docket No. 026215-00003.

Respectfully submitted,

Arent Fox LLP

A handwritten signature in black ink, appearing to read "Sheree T. Rowe".

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